

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Mark T. DEVLIN Confirmation No.: 1665
Application Number : 10/693,359
Filed : October 24, 2003
Title : LUBRICANT COMPOSITIONS
TC/Art Unit : 1714
Examiner: : Callie E. SHOSHO

Docket No. : 0013.0035
Customer No. : 63970

Commissioner for Patents
P.O. Box 1450
Washington, DC 20231

Sir:

TERMINAL DISCLAIMER

Assignee, Afton Chemical Corporation, duly organized under the laws of Virginia and having its principal place of business at 500 Spring Street, Richmond, VA, 23219, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 10/693,359, filed October 24, 2003 for LUBRICANT COMPOSITIONS in the names of Mark T. Devlin et al., as indicated by an assignment from the inventors to Ethyl Petroleum Additives recorded at Reel 014642, Frame 0969, and from Ethyl Petroleum Additives to Afton Chemical Corporation recorded in the U.S. Patent and Trademark Office at Reel 015918, Frame 0557.

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application; which would extend beyond the expiration date of the full statutory

term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of prior patent Application No. 10/693,197. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent application, as presently shortened by any terminal disclaimer, in the event that the prior patent application later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

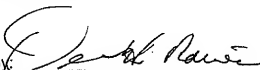
In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 50-2961. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 50-2961.

The undersigned is authorized to act on behalf of assignee Afton Chemical Corporation.

I hereby declare that all statements made of my own knowledge and belief are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

By: 

Dennis Rainear
Afton Chemical Corporation

Dated: March 12, 2007